

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEREK FRIEDRICHs,

Plaintiff(s),

v.

BMW FINANCIAL SERVICES LLC,

Defendant(s).

No. C08-4486 PJH (BZ)

**ORDER SCHEDULING
SETTLEMENT CONFERENCE**

Judge Hamilton referred this matter to me for settlement purposes.

You are hereby notified that a settlement conference is scheduled for **Thursday, August 6, 2009 at 10:00 a.m.**, in Courtroom G, 15th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California 94102.

I understand from Judge Hamilton that the parties reached a tentative settlement which is unraveling. By **noon on August 4, 2009**, each side shall submit a settlement conference statement

1 of up to 6 pages which briefly outlines the underlying dispute,
2 identifies those portions of the tentative settlement as to
3 which there is no disagreement and those portions of the
4 tentative settlement which are currently in dispute. This
5 statement shall be served on opposing counsel, but not filed.

6 Each side shall also submit a statement of up to 3 pages
7 providing its candid assessment of why the settlement is
8 unraveling. This statement need **not** be served on opposing
9 counsel or filed.

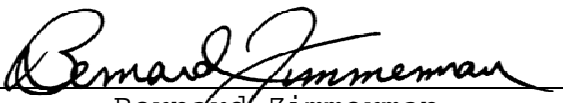
10 Lead trial counsel shall appear at the Settlement
11 Conference with the parties. Any party who is not a natural
12 person shall be represented by the person or persons **not**
13 **directly involved** in the events which gave rise to the
14 litigation but with **full** authority to negotiate a settlement. A
15 person who needs to call another person not present before
16 accepting, rejecting or making any settlement offer does not
17 have full authority. An insured party shall appear with a
18 representative of the carrier with full authority to negotiate
19 up to the limits of coverage. The Court shall be notified
20 immediately if the carrier declines to attend. Personal
21 attendance of a party representative will **not** be excused by the
22 Court.

23 Each party shall bring to the conference in electronic
24 format capable of being edited, a document containing the terms
25 of its settlement proposal.

26 The parties shall notify Magistrate Judge Zimmerman's
27 chambers immediately if this case settles prior to the date set
28 for settlement conference. Counsel shall provide a copy of this

1 order to each party who will participate in the conference.

2 Dated: June 28, 2009

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4 Bernard Zimmerman
5 United States Magistrate Judge
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